

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**IN RE: INSULIN PRICING
LITIGATION**

**Case No. 2:23-MD-03080
MDL No. 3080**

**JUDGE BRIAN R. MARTINOTTI
JUDGE RUKHSANAH L. SINGH**

ORAL ARGUMENT REQUESTED

THIS DOCUMENT RELATES TO:

County of Albany, New York v. Eli Lilly, et al., No. 1:22-cv-00981

King County v. Eli Lilly et al., No. 2:23-cv-21178

Lake County, Illinois v. Eli Lilly, et al., No. 2:23-cv-08487

**NOTICE OF PBM DEFENDANTS' RULE 12(b)(6) MOTION TO DISMISS
THE ALBANY, KING, AND LAKE COUNTY COMPLAINTS**

TO: All Persons on ECF Service List

PLEASE TAKE NOTICE that the PBM Defendants, by and through their respective undersigned counsel, shall move before the Honorable Brian R. Martinotti, U.S.D.J., at a date and time to be determined by the Court, at the United States District Court for the District of New Jersey, Courtroom 1 of the Frank R. Lautenberg Post Office and Courthouse, 2 Federal Plaza, Newark, New Jersey, 07102, for an Order, pursuant to Federal Rule of Civil Procedure 12(b)(6), dismissing the claims of Albany, King, and Lake Counties against the PBM Defendants with prejudice.

PLEASE TAKE FURTHER NOTICE that in support of this Motion, the PBM Defendants will rely on the Memorandum of Law in Support thereof and the Reply in support thereof.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is submitted herewith.

PLEASE TAKE FURTHER NOTICE that the PBM Defendants hereby request oral argument.

Dated this 22nd day of August, 2024.

/s/ Brian D. Boone

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